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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,580	11/09/1999	ALEXANDER G. MACINNIS	17426US01	8182

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EXAMINER	
NGUYEN, KEVIN M	

ART UNIT	PAPER NUMBER
2629	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/437,580	MACINNIS ET AL.	
	Examiner	Art Unit	
	KEVIN M. NGUYEN	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *51-62 and 71-74* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *51-62 and 71-74* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 November 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Request for Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/17/2007 has been entered. An action on the RCE follows:

Response to Amendment

Applicant's amendment filed on 12/17/2007 is entered, claims 51, 55, 59 and 74 are amended. Thus, claims 51-62 and 71-74 are pending.

In view of applicant's remarks, the objection of drawing and rejection of claims 51-62 and 71-74 under 112, first paragraph, stand withdrawn.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 51-62 and 71-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al (US 5,327,157, **Akiyama**) in view of Marshall et al. (US 5,892,498, **Marshall**).

3. **As to claim 51,** Akiyama teaches a method for horizontally scrolling a display window, the method comprising:

receiving a window descriptor having a numerical value for indicating how many pixels are to be blanked out at an edge of the display window *(commanding 81 a window identification (a window ID) in which a pixel is defined by the intersection of a row and a column, and commanding 82 to be deleted a number of said pixel when a number of a pixel removed out at a vertical edge of the screen in fig. 6, col. 6, lines 33-38);*

receiving an address of a start of the display window *(commanding 83 for a start address of a partition window 72 in figs. 3 and 6);*

receiving a plurality of graphics data associated with received address, the plurality of graphics data being from the memory *(the command 83 is used to define how the partition window 72 will be mapped into screen buffer 70 in figs. 3 and 6);*

blanking out how many pixels are indicated by the numerical value of the plurality of graphics data *(command 84, e.g., if the horizontal scroll trigger was set to five. Five pixels is defined by the intersection of 5 rows and 5 columns, and commanding 82 to be deleted 5 pixels when 5 pixels removed out at the vertical edge of the screen, col. 6, lines 33-38),* while continuing storing said how many pixels in memory *(partition windows 76 and 77 are mapped into the exact same space in screen buffer 70, fig. 3, col. 4, lines 6-7)*; and

displaying the plurality of graphics data such that the blanked out pixels of the plurality of graphics data are not displayed and a first non-blanked pixel of the plurality of graphics data is displayed *(after setting, 5 pixels could not be displayed, and the remaining pixels in the partition*

window 72 to be displayed on the screen, fig. 6, col. 5, line 36 through col. 6 through col. 7, line 50).

Akiyama fails to teach "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels that are blanked in memory."

Col. 3, lines 35-45 of Marshall teaches a similar method of scrolling the image comprising "[e]ach text line is generated when the first pixel line in that text line is needed. This text line is stored in a memory buffer until all of its pixel lines are used and then is replaced by the next text line. This allows the pixels to be used without having to regenerate them each time the scroll is updated. When the last text line is reached, the first text line is generated and added onto the screen in a circular fashion. Thus, the scroll becomes a continuous loop. Typically, the scroll will be changed in one to three pixel line increments and preferably in two pixel line increments for a display having an approximately two hundred pixel line scroll." Based on finding of facts, Marshall obviously teaches "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory."

As to claim 52, Akiyama teaches each partition has a partition window which maps into screen buffer 70. The partition window can be any size from one byte up to the size of its associated partition, col. 3, lines 63-68. Originally a byte was chosen to be a sub multiple of the computer's word size, containing eight bits. The first pixel value "5" is not greater than the second pixel value "12."

As to claim 53, Akiyama teaches one byte containing 8 bits.

As to claim 54, Akiyama teaches the partition window can be any size from one byte up to the size of its associated partition. Four bytes contain 32 bits.

As to claim 71, Akiyama teaches horizontal scroll of the partition window 72 comprising the bottom horizontal edge, col. 6, line 53.

Both Marshall and Akiyama disclose the similar method of scrolling a display window or an image. (col. 14, lines 6-11 of Okada). Marshall's benefit teaches each individual viewer is provided with an interactive scroll program guide which is programmed at intervals by the cable provider to provide programming data for multiplicity of viewing time segments. The home viewer in turn interactively determine whether the scroll of data is forwarded, reversed, stopped or changed as to the time displayed. In addition, the viewer selects to highlight certain data or to display additional information relevant to a selected program (col. 5, lines 57-65 of Marshall). Thus, it would have been obvious to a person of ordinary skill in the art to apply Marshall to Akiyama to achieve the predictable result. Using the known technique of Marshall would have been obvious to one of ordinary skill.

4. **As to claim 55**, Akiyama teaches a method for horizontally scrolling a display window to the left by one or more pixels, the method comprising:

The commands apply for the first window (e.g. a partition window 72) comprising:

receiving a first numerical a value indicating how many pixels are to be blanked out *(commanding 81 a window identification (a window ID) in which a pixel is defined by the intersection of a row and a column, and commanding 82 to be deleted a number of said pixel when a number of a pixel removed out at a vertical edge of the screen in fig. 6, col. 6, lines 33-38);*

receiving a first address of a start of the display window *(commanding 83 for a start address of a partition window 72 in figs. 3 and 6);*

receiving a first plurality of graphics data associated with the received first address, the first plurality of graphics data being from a memory *(the command 83 is used to define how the partition window 72 will be mapped into screen buffer 70 in figs. 3 and 6);*

blanking out how many pixels are indicated by the first numeric value of the first plurality of graphics data *(command 84, e.g., if the horizontal scroll trigger was set to five. Five pixels is defined by the intersection of 5 rows and 5 columns, and commanding 82 to be deleted 5 pixels when 5 pixels removed out at the vertical edge of the screen, col. 6, lines 33-38),* while continuing storing said how many pixels in memory *(partition windows 76 and 77 are mapped into the exact same space in screen buffer 70, fig. 3, col. 4, lines 6-7)*; and

displaying the first of graphics data such that the blanked out pixels of the first plurality of graphics data are not displayed and a first non-blanked pixel of the first plurality of graphics data is displayed *(after setting, 5 pixels could not be displayed, and the remaining pixels in the partition window 72 to be displayed on the screen, fig. 6, col. 5, line 36 through col. 6 through col. 7, line 50);*

The repeat commands apply for the second window (e.g. a partition window 73) comprising:

receiving a second numerical value for indicating how many pixels are to be blanked out *(commanding 81 a window identification (a window ID) in which a pixel is defined by the intersection of a row and a column, and commanding 82 to be deleted a number of said pixel when a number of a pixel removed out at a vertical edge of the screen in fig. 6, col. 6, lines 33-38);*

receiving a second address of a second start to the display window, the second address pointing to the right of the first start address by one or more graphic memory words *(commanding 85 identifying a second address of the last parameter of the partition window 73 to be out of the screen, col. 7,lines 7-13);* and

receiving a second plurality of graphics data associated with the received second address, the second plurality of graphics data being from the memory *(commanding 86, activating the last parameter of the partition window 73 already mapped to screen buffer 70, col. 7, lines 14-21);*

blanking out how many pixels are indicated by the second numerical value of the second plurality of graphics data *(further commanding 84, e.g., if the number of columns to shift is set to fifteen, the fifteen pixels are out of the screen, col. 6, lines 62-68);* and

displaying the second plurality of graphics data such that the blanked out pixels of the second plurality of graphics data are not displayed and a first non-blanked pixel of the second plurality of graphics data is displayed *(after setting, fifteen pixels could not be displayed, and the remaining pixels of the partition window 73 are displayed on the screen in fig. 6, col. 5, line 36 through col. 6 through col. 7, line 50).*

Akiyama fails to teach "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory that are blanked."

Col. 3, lines 35-45 of Marshall teaches a similar method of scrolling the image comprising "[e]ach text line is generated when the first pixel line in that text line is needed. This text line is stored in a memory buffer until all of its pixel lines are used and then is replaced by the next text line. This allows the pixels to be used without having to regenerate them each time

the scroll is updated. When the last text line is reached, the first text line is generated and added onto the screen in a circular fashion. Thus, the scroll becomes a continuous loop. Typically, the scroll will be changed in one to three pixel line increments and preferably in two pixel line increments for a display having an approximately two hundred pixel line scroll." Based on finding of facts, Marshall obviously teaches "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory."

As to claim 56, Akiyama teaches the first parameter through the last parameter is in the window ID.

As to claim 57, as noting in fig. 3, Akiyama further discloses a first field of a partition window 72 and a second field of a partition window 73 of a plurality of window IDs.

As to claim 58, as noting in fig. 3, Akiyama further discloses a first number of row of a partition window 72 is mapping to corresponding space 72 in buffer 70, and a second number row of the partition window 73 is mapping to corresponding space 73 in buffer 70.

As to claim 72, Akiyama teaches the number of rows and columns for the partition window to be deleted, col. 5, lines 44-48.

Both Marshall and Akiyama disclose the similar method of scrolling a display window or an image. (col. 14, lines 6-11 of Okada). Marshall's benefit teaches each individual viewer is provided with an interactive scroll program guide which is programmed at intervals by the cable provider to provide programming data for multiplicity of viewing time segments. The home viewer in turn interactively determine whether the scroll of data is forwarded, reversed, stopped or changed as to the time displayed. In addition, the viewer selects to highlight certain data or to

display additional information relevant to a selected program (col. 5, lines 57-65 of Marshall). Thus, it would have been obvious to a person of ordinary skill in the art to apply Marshall to Akiyama to achieve the predictable result. Using the known technique of Marshall would have been obvious to one of ordinary skill.

As to claim 59 shares similar limitations to those included in claim 55 and therefore the rationale of rejection will be the same. Claim 59 has the added limitation "wherein the second number value is greater than the first numerical value", whereas Akiyama discloses *the second value "12" is greater than the first value "5"*.

Akiyama fails to teach "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory that are blanked."

Col. 3, lines 35-45 of Marshall teaches a similar method of scrolling the image comprising "[e]ach text line is generated when the first pixel line in that text line is needed. This text line is stored in a memory buffer until all of its pixel lines are used and then is replaced by the next text line. This allows the pixels to be used without having to regenerate them each time the scroll is updated. When the last text line is reached, the first text line is generated and added onto the screen in a circular fashion. Thus, the scroll becomes a continuous loop. Typically, the scroll will be changed in one to three pixel line increments and preferably in two pixel line increments for a display having an approximately two hundred pixel line scroll." Based on finding of facts, Marshall obviously teaches "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory."

As to claim 60, Akiyama teaches the first number of row and a second number of row are included in the window ID, fig. 3 and 6.

As to claim 61, Akiyama teaches the first field of partition window 72 and the second field of partition window 73, fig. 3.

As to claim 62, Akiyama teaches the first number of row is included in the first window ID 72, and the second number of row is included in the second window ID 73, fig. 3.

As to claim 73, Akiyama teaches the number of columns for the partition window to be deleted, col. 5, lines 49-64.

Both Marshall and Akiyama disclose the similar method of scrolling a display window or an image. (col. 14, lines 6-11 of Okada). Marshall's benefit teaches each individual viewer is provided with an interactive scroll program guide which is programmed at intervals by the cable provider to provide programming data for multiplicity of viewing time segments. The home viewer in turn interactively determine whether the scroll of data is forwarded, reversed, stopped or changed as to the time displayed. In addition, the viewer selects to highlight certain data or to display additional information relevant to a selected program (col. 5, lines 57-65 of Marshall). Thus, it would have been obvious to a person of ordinary skill in the art to apply Marshall to Akiyama to achieve the predictable result. Using the known technique of Marshall would have been obvious to one of ordinary skill.

5. **As to claim 74,** Akiyama teaches a method for horizontally scrolling a display window, the method comprising:

receiving a window descriptor having a numerical value *(commanding 81 a window identification (a window ID) in which a pixel is defined by the intersection of a row and a*

column, and commanding 82 to be deleted a number of said pixel when a number of a pixel removed out at a vertical edge of the screen in fig. 6, col. 6, lines 33-38);

receiving an address of a start of the display window *(commanding 83 for a start address of a partition window 72 in figs. 3 and 6);*

receiving a plurality of graphics data associated with received address, the plurality of graphics data being from the memory *(the command 83 is used to define how the partition window 72 will be mapped into screen buffer 70 in figs. 3 and 6);*

blanking out how many pixels of the plurality of graphics data, said number being equal to the numerical value *(command 84, e.g., if the horizontal scroll trigger was set to five. Five pixels is defined by the intersection of 5 rows and 5 columns, and commanding 82 to be deleted 5 pixels when 5 pixels removed out at the vertical edge of the screen, col. 6, lines 33-38)*, while continuing storing said how many pixels in memory *(partition windows 76 and 77 are mapped into the exact same space in screen buffer 70, fig. 3, col. 4, lines 6-7);* and

displaying the plurality of graphics data such that the blanked out pixels of the plurality of graphics data are not displayed and a first non-blanked pixel of the plurality of graphics data is displayed *(after setting, 5 pixels could not be displayed, and the remaining pixels in the partition window 72 to be displayed on the screen, fig. 6, col. 5, line 36 through col. 6 through col. 7, line 50).*

Akiyama fails to teach "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory that are blanked."

Col. 3, lines 35-45 of Marshall teaches a similar method of scrolling the image comprising "[e]ach text line is generated when the first pixel line in that text line is needed. This text line is stored in a memory buffer until all of its pixel lines are used and then is replaced by the next text line. This allows the pixels to be used without having to regenerate them each time the scroll is updated. When the last text line is reached, the first text line is generated and added onto the screen in a circular fashion. Thus, the scroll becomes a continuous loop. Typically, the scroll will be changed in one to three pixel line increments and preferably in two pixel line increments for a display having an approximately two hundred pixel line scroll." Based on finding of facts, Marshall obviously teaches "blanking out how many pixels are indicated by the numerical value of the plurality of graphics data, while continuing storing said how many pixels in memory."

Both Marshall and Akiyama disclose the similar method of scrolling a display window or an image. (col. 14, lines 6-11 of Okada). Marshall's benefit teaches each individual viewer is provided with an interactive scroll program guide which is programmed at intervals by the cable provider to provide programming data for multiplicity of viewing time segments. The home viewer in turn interactively determine whether the scroll of data is forwarded, reversed, stopped or changed as to the time displayed. In addition, the viewer selects to highlight certain data or to display additional information relevant to a selected program (col. 5, lines 57-65 of Marshall). Thus, it would have been obvious to a person of ordinary skill in the art to apply Marshall to Akiyama to achieve the predictable result. Using the known technique of Marshall would have been obvious to one of ordinary skill.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen M. Kevin whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M. Nguyen/
Kevin M. Nguyen
Primary Examiner, Art Unit 2629